

**LITTLER MENDELSON, P.C.**

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

DARRYL GAINES,

Plaintiff,

v.

WAYFAIR, LLC and JOHN DOES 1-5  
AND  
6-10,

Defendants.

Civil Action No. 1:21-cv-15843-KMW-EAP

**[Proposed] Order**

*Via ECF*

**THIS MATTER** having been opened to the Court by Littler Mendelson, P.C. (Ivan R. Novich, Esq. and Rachel Simone Frey, Esq. appearing), attorneys for Wayfair LLC (improperly pled as “Wayfair, LLC”) (“Defendant”), on notice to Costello & Mains, LLC (Jacquelyn R. Matchett, Esq.), attorneys for Plaintiff Darryl Gaines (“Plaintiff”), 18000 Horizon Way, Suite 800, Mount Laurel, New Jersey 08054, for an Order, under FED. R. CIV. P. 56, granting Defendant’s Motion for Summary Judgment and dismissing Plaintiff’s Complaint against Defendant in its

entirety, with prejudice, and the Court having considered the submissions in support and in opposition to the requested relief, and for good cause shown;

**IT IS** on this \_\_\_\_ day of \_\_\_\_\_, 2024, **ORDERED** as follows:

1. Defendant's Motion for Summary Judgment is, granted.
2. The Complaint is dismissed in its entirety, with prejudice.
3. The Clerk of the Court shall enter judgment in favor of Defendant on the record and docket.
4. A copy of this Order be served upon all counsel of record via ECF.

SO ORDERED:

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Hon. Karen M. Williams  
United States District Judge